

General Appeals by Leave Table

This is an aid to track appeal events. Consult court rules and statutes as needed.
See the Michigan Judicial Institute's *Appeals & Opinions Benchbook*, Chapter 2.

Case Number: _____ Lower Case Number: _____
 Appellant: _____ Appellant's Attorney: _____
 Appellee: _____ Appellee's Attorney: _____

Task	Applicable Court Rule	Due Date (if applicable)	Compliance?
Review date of judgment, order, or decision being appealed. Appeal must be filed per statute or (1) within 21 days of entry of judgment, order, or decision, (2) within 21 days of decision or entry of order denying motion for new trial, rehearing, reconsideration, or other relief, if motion filed within initial 21-day period or within such further time as trial court or agency allowed during that period, or (3) in criminal cases, within 21 days of entry of order appointing or denying appointment of appellate counsel or denying a timely-filed motion for new trial, rehearing, reconsideration, or other relief, if appellate counsel requested within 21 days after entry of judgment of sentence.	MCR 7.105(A)		
Appellant must file proof that application was served on all parties and notice of application was filed with trial court or agency.	MCR 7.105(B)(6)		
Answer (optional) and proof of service on all parties filed by any other party must be completed within 21 days of service of application. Appellant may file a reply within 7 days of service of an answer.	MCR 7.105(C)-(D)		
Circuit court must decide the application within 35 days of filing date (absent good cause or proper motion for immediate consideration). There is no oral argument on the application unless the circuit court directs.	MCR 7.105(E)(1)-(2); MCR 7.105(F)		
Circuit court must promptly serve a copy of the order granting or denying the application on the parties and trial court or agency.	MCR 7.105(E)(3)		
If the application is granted:			
The filing of a claim of appeal not required. Appellant must file all documents required under MCR 7.104(D) and make service on trial court or agency as required under MCR 7.104(E) within 7 days after entry of order granting leave.	MCR 7.105(E)(4)(a)-(b)		
Appellee appearance must be filed within 14 days of being served with the claim of appeal. Appellee is not entitled to notice of further proceedings if an appearance is not filed.	MCR 7.104(F); MCR 7.105(E)(4)		

Task	Applicable Court Rule	Due Date (if applicable)	Compliance?
Appellee may file claim of cross-appeal within 14 days after service of order granting leave.	MCR 7.105(E)(4)(c)		
Court reporter or recorder must furnish certificate of order and payment within 7 days after transcript is ordered.	MCR 7.109(B)(3)(a)		
Appellant must secure filing of the transcript. Transcript filed by court report or recorder (1) within 14 days after ordered in appeal from order on motion to suppress evidence in a criminal case, (2) within 28 days after ordered in appeal of criminal conviction based on plea of guilty, guilty but mentally ill, or nolo contendere, or appeal of the dismissal or reduction of felony charge following preliminary examination, or (3) within 56 days after ordered in all other cases. The circuit court may extend or shorten time limits for filing transcript in a pending appeal on motion filed by the court reporter or recorder or a party.	MCR 7.109(B)(1)(a); MCR 7.109(B)(3)(b)(i)-(ii)		
Except for items omitted by written stipulation of the parties, record must be sent to the circuit court by the trial court or agency within 14 days of filing of complete transcript or of request for certified copy of record.	MCR 7.109(G)(1)		
Circuit court must provide written notice to parties immediately after record is filed in circuit court.	MCR 7.109(G)(3)		
Appellant must file and served its brief on all parties within 28 days after circuit court provides written notice that record has been filed. The circuit court may extend time on motion, or time may be extended by 14 days on stipulation and order.	MCR 7.111(A)(1)(a)		
If appellant fails to pursue appeal in conformity with court rules, circuit court sends notice of intent to dismiss unless deficiency rectified within 14 days. If appeal is dismissed, the circuit court must immediately send a copy of the order to the parties and the trial court or agency. Appellant may move for reinstatement within 14 days of dismissal.	MCR 7.113(A); MCR 7.113(C)		
Appellee’s brief is optional, but if submitted, must be filed and served on all parties within 21 days after appellant’s brief was served. The circuit court may extend time on motion, or time may be extended by 14 days on stipulation and order.	MCR 7.111(A)(2)		
Appellant may file a reply brief within 14 days after appellee’s brief was served.	MCR 7.111(A)(3)		
Determine whether either party properly requested oral argument and whether deliberation will be significantly aided by oral argument; if so, schedule. Oral argument is forfeited for failure to timely file a conforming brief unless the circuit court grants motion to reinstate oral argument.	MCR 7.111(A)(6); MCR 7.111(C); MCR 7.114(A)		

Task	Applicable Court Rule	Due Date (if applicable)	Compliance?
Circuit court must decide appeal by oral or written opinion and issue order.	MCR 7.114(B)		
Circuit court must promptly send original record, certified copy of order, and any written opinion to (1) the clerk of the Court of Appeals, if timely application for leave is filed, or (2) the trial court clerk or agency, if no timely application for leave to appeal filed.	MCR 7.109(H)		

